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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,664	10/24/2003	Andrew S. Walker	66125-0002	9620

10291 7590 12/28/2006
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EXAMINER

PONIKIEWSKI, TOMASZ

ART UNIT	PAPER NUMBER
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2165

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/693,664	Applicant(s) WALKER ET AL.	
	Examiner Tomasz Ponikiewski	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 15-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending. Claims 15-20 are withdrawn.

Election/Restrictions

2. Claims 15-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group II, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/06/2006.

Claim Objections

3. Claims 1-4, 12 and 14 are objected to because of the following informalities:
 4. Claims 1-4, 12 and 14 recite the word "for" in the body of the claims. It indicates intended use and as such does not carry patentable weight. The word could be changed to recite "to". The limitations following the phrase "for" describes only intended use but not necessarily required functionality of the claim. Limitations following the phrase "for" do not carry patentable weight, which cause the claims to appear as a series of non-functional descriptive material/data without any functional relation with each other. Applicant is required to amend the claims so that the claim limitations are recited in a definite form. For example, claim 1 recites "providing for" should be "providing" or "that provides" or "to provide".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1--6, and 9-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Seshadri et al. (US 2004/0002988 A1).

As per claim 1 Seshadri et al. is directed to an information management system, comprising:

a depository, said depository providing for a plurality of data storage sources, a plurality of files, a plurality of source applications, and at least one interesting file, wherein each said data storage source provides for at least one said file, wherein said interesting file is one of said plurality of files, and wherein said files and said interesting file are created from said plurality of source applications (paragraph 0414, lines 3-4; paragraph 342, page 45, lines 3-6; paragraph 0643, lines 6-8; paragraph 0678, lines 26-27);

an analysis application, said analysis application providing for a search tool, a search parameter, and a processing rule, wherein said search parameter is generated with said analysis application for said search tool in accordance with said processing

rule, wherein said search tool uses said search parameter to selectively identify said interesting file from said plurality of files, and wherein said analysis application is not one of said source applications (paragraph 0006, lines 12-18; paragraph 0463, lines 1-2; paragraph 0573, lines 5-9); and

a database, providing for a goal-specific record, wherein said goal-specific record includes an attribute not found within said interesting file, wherein said analysis application provides for creating said goal-specific record by retrieving information included in said interesting file in accordance with said processing rule, and transforming the retrieved information into said goal-specific record in accordance with at least one of said processing rule and said search parameter (paragraph 0118, lines 19-20; paragraph 0126, lines 9-13).

As per claim 2 Seshadri et al. is directed to said depository further provides for a plurality of storage locations, including a first storage location and a second storage location, wherein said first storage location and said second storage location each comprise at least one said data storage source (paragraph 0643, lines 6-8).

As per claim 3 Seshadri et al. is directed to said depository further provides for a plurality of file types, wherein said plurality of file types include a first file type and a second file type, wherein at least one said file in said plurality of files is of said first file type, and wherein at least one said file in said plurality of files is of said second file type (paragraph 0642, page 45, lines 5-6).

As per claim 4 Seshadri et al. is directed to said depository further providing for a plurality of file types associated with said plurality of files, said plurality of file types including at least three of: an e-mail, a word processing document, a spreadsheet, a database record within said depository, a web site, a scanned document, and a text file (paragraph 0455, lines 1-2; paragraph 0642, page 45, lines 3-6).

As per claim 5 Seshadri et al. is directed to said analysis application is a tax credit application, wherein said processing rule is created from a plurality of tax rules, and wherein said goal-specific record includes a tax attribute not stored within said interesting file (paragraph 0082, lines 11-29).

As per claim 6 Seshadri et al. is directed to said plurality of tax rules is entered into said tax credit application by at least one of: (a) typing in the information through a keyboard; and (b) importing data from a tax information source (paragraph 0083, lines 10-11).

As per claim 9 Seshadri et al. is directed to comprising a keyword analysis heuristic, wherein said search tool invokes said keyword analysis heuristic to identify a plurality of interesting files that exceeds the number of said interesting files that would be identified with solely said search parameter (paragraph 0677, lines 16-17).

As per claim 10 Seshadri et al. is directed to comprising a past search result, a statistical heuristic, and a modification to said keyword analysis heuristic, wherein said analysis application generates said modification to said keyword analysis heuristic using said past search result and said statistical heuristic (paragraph 0087, lines 9-10; paragraph 0677, lines 10-12).

As per claim 11 Seshadri et al. is directed to said statistical heuristic is performed by at least one of: an artificial intelligence component, an expert system component, a predictive modeling component, or a linguistic analysis component (paragraph 0677).

As per claim 12 Seshadri et al. is directed to said database providing for a plurality of goal-specific records, said analysis application providing for a report tool and a report generated by said report tool, said report tool providing for a plurality of report parameters, wherein said report tool generates said report from a selectively identified subset of interesting records, wherein said report tool selectively identifies said subset of interesting records with said plurality of report parameters (paragraph 0075, lines 7-10).

As per claim 13 Seshadri et al. is directed to wherein said report parameters do not correspond to said search parameter (paragraph 0075, lines 7-10).

As per claim 14 Seshadri et al. is directed to An information management system, comprising:

a depository, said depository providing for a plurality of data storage sources, a plurality of files, a plurality of file types, a plurality of source locations, a plurality of source applications, a plurality of organization sub-groups, and a plurality of interesting files, wherein each said data storage source provides for at least one said file, wherein said interesting files are a subset of said plurality of files, wherein said files and said interesting file are created from said plurality of source applications, wherein said plurality of interesting files include said plurality of file types, wherein said plurality of file types include an e-mail, a word processing document, a spreadsheet, and a web page, wherein said plurality of interesting files are created from said plurality of source locations, and wherein said plurality of interested files are created from said plurality of organization sub-groups (paragraph 0414, lines 3-4; paragraph 342, page 45, lines 3-6; paragraph 0643, lines 6-8; paragraph 0678, lines 26-27);

an R&D tax analysis application, said R&D tax analysis application providing for a search tool, a plurality of search parameters, and a plurality of tax R&D tax credit processing rules, wherein said search parameter is generated with said R&D analysis application for said search tool in accordance with said R& D tax credit processing rules, wherein said search tool uses said search parameter to selectively identify said interesting files from said files, wherein said R&D tax analysis application is not one of said source applications (paragraph 0006, lines 12-18; paragraph 0463, lines 1-2; paragraph 0573, lines 5-9); and

an R&D tax database, providing for a plurality of R&D tax records, wherein said R&D tax records includes a plurality of attributes not found within said interesting files, wherein said R&D tax analysis application provides for creating said R&D tax records by retrieving information included in said interesting files in accordance with said R&D tax credit processing rules, and transforming the retrieved information into said R&D tax records in accordance with said R&D tax credit processing rules and said search parameters (paragraph 0118, lines 19-20; paragraph 0126, lines 9-13).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seshadri et al. (US 2004/0002988 A1) in view of Taysi (US 2002/0016797 A1).

As per claim 7 Seshadri et al. does not teach wherein said plurality of tax rules comprise a plurality of R&D tax rules.

Taysi teaches wherein said plurality of tax rules comprise a plurality of R&D tax rules (Taysi, paragraph 0054, lines 1-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Seshadri et al. by teachings of Taysi to include

Art Unit: 2165

wherein said plurality of tax rules comprise a plurality of R&D tax rules because making use of another type of data is well known in the art.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seshadri et al. (US 2004/0002988 A1) in view of Taysi (US 2002/0016797 A1) and further in view of Abrahm et al. (US 2002/0082961 A1).

As per claim 8 Seshadri et al. as modified still does not teach said R&D tax rules comprise a patent safe harbor tax credit rule.

Abrahm et al. teaches said R&D tax rules comprise a patent safe harbor tax credit rule (Abrahm et al., paragraph 0840, lines 6-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Seshadri et al. as modified by teachings of Abrahm et al. to include said R&D tax rules comprise a patent safe harbor tax credit rule because making use of another type of data is well known in the art.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
December 22, 2006

Naureen Abel-Jalil
Naureen Jalil